

**UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION**

CHERRY CANYON RESOURCES, L.P.
Individually and on Behalf of All Those
Similarly Situated,

Plaintiff,

vs.

HALLIBURTON COMPANY;
HALLIBURTON ENERGY SERVICES,
INCORPORATED;
SCHLUMBERGER, N.V.;
SCHLUMBERGER HOLDINGS
CORPORATION;
BAKER HUGHES INCORPORATED; and
BJ SERVICES COMPANY,

Defendants.

Case No. 2:13-cv-00238

Hon. Nelva Gonzales Ramos

STIPULATION AND PROPOSED ORDER

WHEREAS, the Parties have agreed to certain initial scheduling and other procedural matters to facilitate the just and efficient progress of this Action;

WHEREAS, on or about July 31, 2013, Plaintiff filed a complaint in this Action (“Complaint”);

WHEREAS, absent an extension of time Defendants Halliburton and Baker Hughes are obligated to answer, move or otherwise plead, in response to the current complaint on August 30, 2013, and Schlumberger is obligated to answer, move or otherwise plead, in response to the current complaint on September 5, 2013;

WHEREAS, Plaintiff anticipates amending the Complaint (“Amended Complaint”);

WHEREAS, Defendants anticipate moving to dismiss this Action; and

WHEREAS, other civil actions asserting the same or similar claims as alleged in the Complaint may be filed in this or other federal courts (“Related Actions”);

NOW, THEREFORE, the Parties, by and through their undersigned counsel, stipulate and agree as follows, subject to the approval of the Court:

1. *Amended Complaint.* Plaintiff shall have forty-five (45) days from the date of this Stipulation in which to file and serve an Amended Complaint pursuant to Fed. R. Civ. P. 15(a)(1).

2. *Extension of Time to Respond to Complaint.* Defendants shall answer, move with respect to, or otherwise respond to the Amended Complaint within forty-five (45) days after Plaintiff files the Amended Complaint. Defendants shall be under no obligation to respond to the Complaint and shall not file motions to dismiss until the time for Plaintiff to file and serve the Amended Complaint (Paragraph 1) has expired. If Defendants move to dismiss, Plaintiff shall have forty-five (45) days in which to oppose Defendants’ motions.

3. *Related Actions.* If any Related Action is filed in this Court, then the parties shall meet and confer in good faith on a reasonable extension of the schedule herein for a Consolidated Amended Complaint to be filed and on a reasonable schedule for briefing any motions with respect to such Consolidated Amended Complaint. Any such schedule would extend and supersede the schedule set forth herein.

4. *No Effect on Discovery.* The scheduling order with respect to the initial pleadings does not stay this case or in any way affect discovery in this case.

Dated: August 29, 2013

Respectfully submitted.

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IT IS SO ORDERED.

Date: _____

Hon. Nelva Gonzales Ramos
UNITED STATES DISTRICT COURT

CERTIFICATE OF SERVICE

I hereby certify that on August 29, 2013, I electronically filed and served the foregoing document with the Clerk of the Court using the ECF system which will send notification of such filing to all counsel of record registered with the ECF system.

By: /s/ Robert C. Hilliard
Robert C. Hilliard